

REMARKS

Applicants respectfully request reconsideration of this application. Claims 1, 8, 16, 23, 29, 30, 35, 42, 47, 51, 53 and 59 have been amended. No claims have been cancelled. No claims have been added.

The amendments to the claims are made only to place the claims in what Applicants consider to be better form and not in response to the rejections. Applicants do not believe any amendment is needed to comply with any requirement of patentability.

Rejections Under 35 U.S.C. §102

Claims 1-8, 10-16, 20-35, 39-47 and 50-59 were rejected under 35 U.S.C. 102(b) as being anticipated by *Gill* et al., U.S. Patent No. 6,081,262 ("*Gill*"). Applicants respectfully submit that *Gill* does not anticipate the present claims.

Specifically, Examiner rejected independent claims 1, 23, 30, 42 and 53, stating that the previously amended claim language of claims 1, 23, 30, 42 and 53 recite the limitation of "processing a request to create a scene capable of translational and rotational manipulation" and that the limitation "does not specifically disclose that the scene itself needs to be able to be translated and rotated, but merely that the scene, including the media objects, is capable of translational and rotational manipulation." (Office Action, dated February 7, 2005, p. 9). Examiner further stated that since the multimedia presentations of *Gill*, or the alleged scene created includes media objects and the media objects are capable of translational and rotational manipulation, the presentation is also allegedly capable of translational and rotational manipulation capabilities. (See, Office Action, dated February 7, 2005, p. 10).

Applicants respectfully traverse Examiner's interpretation of the limitation. However, Applicants have amended the claims and adopted Examiner's language to clarify that "the scene is to be able to be translated and rotated." Applicants understand

Examiner's remarks to indicate that Examiner agrees with Applicant that *Gill* does not disclose that a scene itself is able to be translated and rotated.

Rather, *Gill* describes a multi-media authoring tool which operates in conjunction with a page based document layout system to extend the menu based, static object manipulation capability of the page based document layout system to encompass dynamic multi-media objects, such as run-time videos and pop-up menus. (*Gill*, Col. 5, lines 18-22 and Col. 3, lines 62-65). Therefore, although the presentation of *Gill* includes dynamic objects, the presentation itself is not dynamic. That is, the presentation itself is not able to be translated and rotated. Therefore, the presentation of *Gill* cannot be the scene of claims 1, 23, 30, 42 and 53.

Therefore, Applicants submit that *Gill* does not disclose the limitation of "wherein the scene is to be able to be translated and rotated." Therefore, *Gill* does not include at least one limitation of independent claims 1, 23, 30, 42 and 53. Therefore, *Gill* fails to teach or suggest all of Applicants' claimed limitations. Accordingly, *Gill* does not anticipate independent claims 1, 23, 30, 42 and 53.

Claims 2-8, 10-16, 20-22, 24-29, 31-35, 39-41, 43-47, 50-52 and 54-59 depend, directly or indirectly, from one of the foregoing independent claims. Therefore, *Gill* fails to anticipate claims 2-8, 10-16, 20-22, 24-29, 31-35, 39-41, 43-47, 50-52 and 54-59 for at least the reasons discussed above with respect to claims 1, 23, 30, 42 and 53. Withdrawal of the rejection is respectfully requested.

#### Rejections Under 35 U.S.C. §103

Claims 18-19, 37-38 and 48-49 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Gill* in view of U.S. Patent No. 5,724,106 to *Autry*, et al. ("Autry"). Applicants respectfully submit that the present claims are patentable over *Gill* and *Autry*. The cited references do not teach or render obvious, either individually or in combination, all of the elements of Applicants' claims.

As discussed above, *Gill* does not teach or suggest the limitation of independent claims 1, 30 and 42, from which claims 18-19, 37-38 and 48-49 depend, directed towards a scene able to be translated and rotated. Applicants respectfully submit that

*Autry* also does not teach or suggest the claimed limitation missing in *Gill*. *Autry* is directed, instead, towards a hand held remote control device used to control a cursor displayed on a monitor as part of a graphical user interface into a home entertainment system. Therefore, neither *Gill*, nor *Autry*, nor the combination thereof teach or suggest the claimed limitations of independent claims 1, 30 and 42, and therefore do not teach or suggest the claimed limitations of dependent claims 18-19, 37-38 and 48-49. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 18-19, 37-38 and 48-49 under 35 U.S.C. § 103(a).

CONCLUSION

Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Ms. Van Guy at (408) 720-8300, x228.

Pursuant to 37 C.F.R. 1.136(a)(3), Applicants hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

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